

PROB 12A
(7/93)

UNITED STATES DISTRICT COURT
for
Western District of Texas

Report on Offender Under Supervision

Name of Offender: Antoine Darren Brewer

Case Number: A-13-CR-468(01)-LY

Name of Sentencing Judicial Officer: Honorable Lee Yeakel, U.S. District Judge

Date of Original Sentence: June 6, 2014

Original Offense: Possession with Intent to Distribute Cocaine Base, in violation of 21 U.S.C. §§ 841(b)(1)(C) and 846.

Original Sentence: One Hundred Eight (108) months' imprisonment, followed by three (3) years of supervised release. Special conditions include: substance abuse treatment, workforce development, alcohol abstinence, obtain GED, search and seizure, and a \$100 special assessment fee (satisfied).

Type of Supervision: Supervised Release Date Supervision Commenced: November 17, 2021

Assistant U.S. Attorney: Mark H. Marshall

Defense Attorney: David M. Gonzalez (retained)

PREVIOUS COURT ACTION

On November 13, 2015, the offender's motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2) was denied.

On December 21, 2018, the offender's second motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2) was denied.

On January 10, 2022, a Probation Form 12A was submitted to the Court advising the defendant provided a positive urinalysis for marijuana on December 7, 2021, and on December 14, 2021. It was recommended no action be taken, advising the defendant would be subject to increased drug testing. The Court concurred.

On August 8, 2022, a Probation Form 12A was submitted to the Court advising the defendant arrested on July 25, 2022, for Unauthorized Use of a Motor Vehicle in Hays County, Texas. It was recommended no action be taken to allow this new case to be disposed of in state court.

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NONCOMPLIANCE SUMMARY

Violation of Special Condition: “The defendant shall refrain from the use of alcohol and all other intoxicants during the term of supervision.”

Violation of Mandatory Condition No. 3: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court) for use of a controlled substance, but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant’s presentence report or other reliable sentencing information indicates low risk of future substance abuse by the defendant.”

Violation of Standard Condition No. 7: “The defendant shall refrain from excessive use of alcohol and shall not purchase, posses, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.”

Nature of Non-compliance: On October 6, 2022, the defendant provided a positive urinalysis for marijuana, cocaine, and alcohol. The defendant denied any cocaine use but admitted to marijuana and alcohol use, citing he has been stressed dealing with the recent death of a friend.

U.S. Probation Officer Action: The defendant admitted he should have utilized better coping mechanisms. He will be referred to a substance abuse treatment program to address his substance abuse issues. Additionally, the defendant will be subject increased drug testing. The U.S. Probation Office will continue to monitor the defendant for further drug use and will notify the Court, should such be noted.

Respectfully submitted,



Miguel Rodriguez
U.S. Probation Officer
Date: October 24, 2022

Approved:



Hector J. Garcia
Supervising U.S. Probation Officer

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THE COURT ORDERS:

☒ No Action

☐ Submit a Request for Modifying the Conditions or Term of Supervision

☐ Submit a Request for Warrant or Summons

☐ Other



Honorable Susan Hightower
United States Magistrate Judge

Date: October 25, 2022